



CITY COUNCIL Agenda

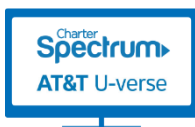
Oct. 19, 2021, 3 p.m.

Virtual Meeting
Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Welcome to Your City Council Meeting

We welcome your interest and involvement in the city's legislative process. This agenda includes information about topics coming before the City Council and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website and in the Office of the City Clerk. The City Clerk is also available to answer any questions you have about City Council meeting procedures.

How to watch



City cable channel

Charter Spectrum channel 24
AT&T U-verse channel 99.



City website

carlsbadca.gov/residents/communication/city-tv-channel

Virtual meeting format

- Per California Executive Order N-29-20, and in the interest of public health and safety, we are temporarily taking actions to prevent and mitigate the effects of the COVID-19 pandemic by holding City Council and other public meetings online only.
- All public meetings will comply with public noticing requirements in the Brown Act and will be made accessible electronically to all members of the public seeking to observe and address the City Council.

How to participate

- **Join from a PC, Mac, iPad, iPhone or Android device:** <https://carlsbadca.zoom.us/j/95848017253>
 - **Join** using "Computer Audio"
 - **Raise your hand** when the Clerk calls for speakers for the item you wish to comment on.
 - **Unmute** yourself when called on by the Clerk.
- **By phone:** Call: (213) 338 – 8477 and enter Meeting ID: 958 4801 7253. Press # for Participant ID.
 - **Press *9** when the Clerk calls for speakers for the item you wish to comment on.
 - The Clerk will then call on the last four numbers of your telephone number.
 - **Press *6** to unmute yourself to speak.
- **In writing:** Email comments to clerk@carlsbadca.gov. Comments received by 2 p.m. the day of the meeting will be shared with the City Council prior to the meeting. When e-mailing comments, please identify in the subject line the agenda item to which your comments relate. All comments received will be included as part of the official record. **Written comments will not be read out loud.**
- These procedures shall remain in place during the period in which state or local health officials have imposed or recommended social distancing measures.

Reasonable accommodations

Persons with a disability may request an agenda packet in appropriate alternative formats as require by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager's Office at 760-434-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Monday before the meeting to decide.

IN THE EVENT A QUORUM OF THE CITY COUNCIL LOSES ELECTRICAL POWER OR SUFFERS AN INTERNET CONNECTION OUTAGE THAT IS NOT CORRECTED WITHIN 15 MINUTES, THE MEETING WILL AUTOMATICALLY BE ADJOURNED. ANY ITEMS NOTICED AS PUBLIC HEARINGS WILL BE CONTINUED TO THE NEXT REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL. ANY OTHER AGENDA ITEMS THE COUNCIL HAS NOT TAKEN ACTION ON WILL BE PLACED ON A FUTURE AGENDA.

The City Council also sits as the Carlsbad Municipal Water District Board, Public Financing Authority Board, Community Development Commission and Successor Agency to the Redevelopment Agency. When considering items presented to the Carlsbad Municipal Water District Board, each member receives an additional \$100 per meeting (max \$300/month). When considering items presented to the Community Development Commission each member receives an additional \$75 per meeting (max \$150/month).

More information about City Council meeting procedures can be found at the end of this agenda and in the Carlsbad Municipal Code chapter 1.20. PLEASE NOTE: AS A RESULT OF THE WAIVERS IN EXECUTIVE ORDER N-29-20, THE BROWN ACT PERMITS FULL PARTICIPATION BY OFFICIALS IN MEETINGS THROUGH VIDEO OR AUDIO TELECONFERENCE.

CALL TO ORDER:

ROLL CALL:

ANNOUNCEMENT OF CONCURRENT MEETINGS: None.

INVOCATION:

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: None.

PRESENTATIONS:

Proclamation in Recognition of Community Planning Month

Proclamation in Recognition of Startup Month

Proclamation in Recognition of Red Ribbon Week

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:

PUBLIC COMMENT: *The Brown Act allows any member of the public to comment on items not on the agenda. Please treat others with courtesy, civility, and respect. In conformance with the Brown Act, a total of 15 minutes is provided so members of the public may participate in the meeting by submitting comments as provided on the front page of this agenda. The City Council will receive comments as requested up to a total of 15 minutes in the beginning of the meeting. All other non-agenda public comments will be heard at the end of the meeting. In conformance with the Brown Act, no action can occur on these items.*

CONSENT CALENDAR: *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed below. There will be no separate discussion on these items prior to the time the Council votes on the motion unless members of the Council, the City Manager, or the public request specific items be discussed and/or removed from the Consent Calendar for separate action.*

WAIVER OF ORDINANCE TEXT READING:

This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.

1. **AWARD OF CONTRACT TO RAL INVESTMENT CORPORATION FOR THE POLICE AND FIRE HEADQUARTERS RENOVATION PROJECT, CIP PROJECT NO. 4715** – Adoption of a resolution accepting bids received, authorizing award of a contract to RAL Investment Corporation, a California Corporation, DBA Silverstrand Construction, Inc., for the Police and Fire Headquarters Renovation Project, authorizing additional appropriation and denying a bid protest for the project. (Staff contact: Steven Stewart, Public Works and Mickey Williams, Police Department)

2. AGREEMENT WITH DESIGN PATH STUDIO, LLC FOR A PERMIT-READY ACCESSORY DWELLING UNIT PROGRAM – Adoption of a resolution approving a professional services agreement with Design Path Studio, LLC to prepare the city’s permit-ready accessory dwelling unit program and appropriate \$120,000 to the General Fund to implement the program in fiscal year 2021-22 (Case Name: Permit-Ready Accessory Dwelling Unit Program; Case No.: ZCA 2021-003). (Staff contact: Shelley Glennon, Community Development)
3. AGREEMENT WITH MAN K-9 FOR MAINTENANCE TRAINING – Adoption of a resolution approving the agreement for maintenance training in patrol and narcotic detection services with ManK9, Inc. (Staff contact: Cindy Anderson, Police Department and Allegra Frost, City Attorney Department)
4. APPROVAL OF THE 2022 REGULAR CITY COUNCIL MEETING CALENDAR – Adoption of a resolution approving the 2022 Regular City Council Meeting Calendar. (Staff contact: Faviola Medina, City Clerk Department)

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION:

5. ADOPTION OF ORDINANCE NO. CS-406 – LOCAL COASTAL PROGRAM UPDATE – Adoption of Ordinance No. CS-406 adopting a Local Coastal Program Amendment consisting of a zone change and amendments to the Poinsettia Shores Master Plan and Village and Barrio Master Plan for consistency with the Local Coastal Program Land Use Plan update (Case Name: Local Coastal Program Update; Case No.: LCPA 15-07/ZC 2020-0002/AMEND2020-0016 (DEV15061)/AMEND 2020-0014 (DEV08014)). (Staff contact: Faviola Medina, City Clerk Department)

City Manager’s Recommendation: Adopt the ordinance.

PUBLIC HEARING:

6. CITY OF CARLSBAD PERMITS NEEDED FOR THE INNS AT BUENA VISTA CREEK, A NEW HOTEL DEVELOPMENT PROJECT LOCATED IN THE CITY OF OCEANSIDE – 1) Introduce an ordinance approving amendments to the citywide zoning and local coastal program zoning maps to modify the zoning designations on a 2.66-acre parcel to allow a zone change from General Commercial (C-2) to Open Space (OS), and a local coastal program zone change from General Commercial (C-2) to Open Space (OS) to correspond with a proposed wetland buffer/habitat restoration area for an approved hotel development project in the city of Oceanside along Carlsbad’s northern border generally located south of State Route 78 and east of Jefferson Street within the Mello II segment of the Local Coastal Program and Local Facilities Management Zone 1 (Case Name: Inns at Buena Vista Creek; Case No: ZC 14-03/LCPA 14-05 (DEV14058)); and
2) Adoption of a resolution approving a General Plan Amendment and Local Coastal Program Amendment to change the General Plan and Local Coastal Program land use designations on a 2.66-acre parcel from Regional Commercial (R) to Open Space (OS), and a minor site development plan, floodplain special use permit, habitat management plan permit and minor subdivision to 1) subdivide a 2.66 acre parcel into two Open Space parcels to correspond with a proposed habitat restoration/wetland buffer area; 2) allow for fire/maintenance/pedestrian access; realignment of

an existing storm drain line; improvements to an existing storm drain outlet; realignment of an existing sewer line, addition of a new water service line; and minor grading within the 100-year floodplain; 3) allow for minor improvements to the Shoppes at Carlsbad ring road and parking lot; and 4) allow for the incidental take of species of concern in association with development of an approved hotel project in the city of Oceanside along Carlsbad's northern border generally located south of State Route 78 and east of Jefferson Street within the Mello II segment of the Local Coastal Program and Local Facilities Management Zone 1 (Case Name: Inns at Buena Vista Creek; Case Nos.: GPA 14-05/LCPA 14-05/SDP 14-14/SUP 14-05/HMP 14-03/MS 14-12 (DEV14058)). (staff contact: Jason Goff, Community Development)

City Manager's Recommendation: Take public input, close the public hearing, introduce the ordinance and adopt the resolution.

DEPARTMENTAL AND CITY MANAGER REPORTS:

7. AGREEMENT AND DESIGN REVIEW CHARTER FOR THE VILLAGE AND BARRIO MASTER PLAN OBJECTIVE DESIGN STANDARDS AND STREAMLINED PERMITTING PROCESS – Adoption of a resolution approving a professional services agreement with AVRP Studios, Inc. to prepare objective design standards and procedures to streamline the permitting process for multifamily housing and mixed-use development projects within the Village and Barrio Master Plan area, approving a charter for a Design Review Committee to review and provide recommendations on the draft objective design standards; and appropriating grant funding of \$160,000 to the General Fund to implement the project in fiscal year 2021-2022. (Staff contact: Shelley Glennon, Community Development)

City Manager's Recommendation: Adopt the resolution.

8. INFORMATION ON THE MILLS ACT – Receive an informational presentation on the purpose of the Mills Act and provide direction to staff as appropriate. (Staff contact: Mike Strong, Community Development)

City Manager's Recommendation: Receive the presentation.

9. DETERMINATION TO CONTINUE VIRTUAL PUBLIC MEETINGS OR RESUME IN-PERSON PUBLIC MEETINGS ON NOV. 1, 2021 – Discuss how to proceed with public meetings until Nov. 18, 2021 and take one of the following actions: 1) Consider adoption of a resolution making findings to authorize the continuation of virtual public meetings until Nov. 18, 2021; or 2) Direct staff to resume in-person public meetings beginning Nov. 1, 2021. (Staff contact: Sheila Cobian, City Manager's Department)

City Manager's Recommendation: Discuss how to proceed and consider options.

10. DISCUSSION AND DIRECTION ON A CITYWIDE DATA POLICY AND PROGRAM – 1) Receive a report and discuss options regarding a citywide data policy and program; and 2) Adopt a resolution authorizing the City Manager to implement a citywide data policy and program. (Staff contact: David Graham and David Van Gilluwe, Administrative Services Department)

City Manager's Recommendation: Receive the report, discuss options and adopt the resolution.

11. UPDATE ON CRIME STATISTICS AND POLICE DEPARTMENT’S RESPONSE TO CRIME TRENDS – Receive update from the police department regarding crime statistics, crime trends, and enforcement strategies. (Staff contact: Cindy Anderson and Christie Calderwood, Police Department)

City Manager’s Recommendation: Receive the update.

12. THE FUTURE OF SHARED MOBILITY DEVICES IN CARLSBAD – Provide direction to staff on the future of shared mobility devices in the city. (Staff contact: Edd Alberto and Tom Frank, Public Works Department)

City Manager’s Recommendation: Provide staff with direction.

COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:

City Council Regional Assignments (Revised 7/20/21)

Matt Hall Mayor	North County Mayors and Managers Buena Vista Lagoon JPC Chamber of Commerce Liaison (primary) San Diego County Water Authority SANDAG Board of Directors (primary) City Council Legislative Subcommittee Economic Development Subcommittee Homeless Action Subcommittee
Keith Blackburn Mayor Pro Tem – District 2	Buena Vista Lagoon JPC Encina Joint Powers JAC Encina Wastewater Authority Board of Directors SANDAG Board of Directors (2 nd alternate) SANDAG Shoreline Preservation Working Group (alternate) Carlsbad Municipal Code and City Council Policy Update Subcommittee
Priya Bhat-Patel Council Member – District 3	City/School Committee Clean Energy Alliance JPA (primary) Economic Development Subcommittee League of California Cities – SD Division (alternate) North County Transit District (primary) North County Dispatch Joint Powers Authority (alternate) SANDAG Board of Directors (1 st alternate) SANDAG Shoreline Preservation Working Group (primary)
Peder Norby Council Member – District 1	
Teresa Acosta Council Member – District 4	Chamber of Commerce Liaison (alternate) City Council Legislative Subcommittee City/School Committee Clean Energy Alliance JPA (alternate) Encina Wastewater Authority Board of Directors (alternate) League of California Cities – San Diego Division North County Dispatch Joint Powers Authority North County Transit District (alternate)

PUBLIC COMMENT: Continuation of the Public Comments

This portion of the agenda is set aside for continuation of public comments, if necessary, due to exceeding the total time allotted in the first public comments section. In conformance with the Brown Act, no Council action can occur on these items.

ANNOUNCEMENTS:

This section of the Agenda is designated for announcements to advise the community regarding events that Members of the City Council have been invited to, and may participate in.

CITY MANAGER COMMENTS:

CITY ATTORNEY COMMENTS:

ADJOURNMENT:

City Council Meeting Procedures (continued from page 1)

Written Materials

Written materials related to the agenda that are submitted to the City Council after the agenda packet has been published will be available for review prior to the meeting during normal business hours at the City Clerk's office, 1200 Carlsbad Village Drive and on the city website. To review these materials during the meeting, please see the City Clerk.

Visual Materials

Visual materials, such as pictures, charts, maps or slides, are allowed for comments on agenda items, not general public comment. Please contact the City Manager's Office at 760-434-2820 or manager@carlsbadca.gov to make arrangements in advance. All materials must be received by the City Manager's Office no later than noon the day before the meeting. The time spent presenting visual materials is included in the maximum time limit provided to speakers. All materials exhibited to the City Council during the meeting are part of the public record. **Please note that video presentations are not allowed.**

Decorum

All participants are expected to conduct themselves with mutual respect. Loud, boisterous and unruly behavior can interfere with the ability of the City Council to conduct the people's business. That's why it is illegal to disrupt a City Council meeting. Following a warning from the presiding officer, those engaging in disruptive behavior are subject to law enforcement action.

City Council Agenda

The City Council follows a regular order of business that is specified in the Carlsbad Municipal Code. The City Council may only make decisions about topics listed on the agenda.

Presentations

The City Council often recognizes individuals and groups for achievements and contributions to the community. Well-wishers often fill the chamber during presentations to show their support and perhaps get a photo. If you don't see an open seat when you arrive, there will likely be one once the presentations are over.

Consent Items

Consent items are considered routine and may be enacted together by one motion and vote. Any City Council member may remove or "pull" an item from the "consent calendar" for a separate vote. Members of the public may pull an item from the consent calendar by requesting to speak about that item. A speaker request form must be submitted to the clerk prior to the start of the consent portion of the agenda.

Public Comment

Members of the public may speak on any city related item that does not appear on the agenda. State law prohibits the City Council from taking action on items not listed on the agenda. Comments requiring follow up will be referred to staff and, if appropriate, considered at a future City Council meeting. Members of the public are also welcome to provide comments on agenda items during the portions of the meeting when those items are being discussed. In both cases, a request to speak form must be submitted to the clerk in advance of that portion of the meeting beginning.

Public Hearing

Certain actions by the City Council require a “public hearing,” which is a time within the regular meeting that has been set aside and noticed according to different rules.

Departmental Reports

This part of the agenda is for items that are not considered routine and do not require a public hearing. These items are usually presented to the City Council by city staff and can be informational in nature or require action. The staff report about each item indicates the purpose of the item and whether or not action is requested.

Other Reports

At the end of each meeting, City Council members and the city manager, city attorney and city clerk are given an opportunity to share information. This usually includes reports about recent meetings, regional issues, and recent or upcoming meetings and events.

City Council Actions

Resolution

A resolution is an official statement of City Council policy that directs administrative or legal action or embodies a public City Council statement. A resolution may be introduced and adopted at the same meeting. Once adopted, it remains City Council policy until changed by subsequent City Council resolution.

Ordinance

Ordinances are city laws contained in the Carlsbad Municipal Code. Enacting a new city law or changing an existing one is a two-step process. First, the ordinance is “introduced” by city staff to the City Council. If the City Council votes in favor of the introduction, the ordinance will be placed on a subsequent City Council meeting agenda for “adoption.” If the City Council votes to adopt the ordinance, it will usually go into effect 30 days later.

Motion

A motion is used to propose City Council direction related to an item on the agenda. Any City Council member may make a motion. A motion must receive a “second” from another City Council member to be eligible for a City Council vote.